

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas

FILED

June 25, 2020

United States of America

v.

ANDREW JOEL GALVAN

David J. Bradley, Clerk of Court

Case No. **3:20-mj-91**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of APRIL 24, 25, and JUNE 24, 2020 in the county of BRAZORIA in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2252A(a)(2)(B) AND
18 USC 2252A(a)(5)(B)Receipt and Possession of materials constituting or containing child
pornography.

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.
Complainant's signature

DeWayne Lewis, Special Agent

Printed name and title

Sworn to before me telephonically.

Date: 06/25/2020City and state: Santa Fe, New Mexico
~~Galveston, Texas~~

Judge's signature

Andrew M. Edison, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, DeWayne Lewis, being duly sworn, hereby depose and state the following:

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations (HSI), assigned to the Office of the Resident Agent in Charge, Galveston, Texas. I have been employed by Immigration & Customs Enforcement (ICE), Homeland Security Investigations (HSI), as an HSI agent for approximately 18 years. I am also a member of the Houston Metro Internet Crimes Against Children (ICAC) Task Force. As part of my daily duties as an HSI Special Agent working with this group, I investigate criminal violations relating to child exploitation and child pornography including violations of Chapter 109A, Chapter 110 and Chapter 117, all contained within Title 18 of the United States Code. I have received training in the area of child pornography and child exploitation, and I have had the opportunity to observe and review examples of child pornography in various forms of media including computer media. I have also participated in the execution of multiple search warrants and covert investigations involving child exploitation, child pornography and online solicitation offenses.
2. This Affidavit is made in support of a criminal complaint charging Andrew Joel GALVAN with violating Title 18 U.S.C. § 2252A(a)(2)(B) and § 2252A(b)(1), the receipt of child pornography and violating Title 18 U.S.C. § 2252A(a)(5)(B) and 2252A(b)(2), the possession of child pornography.
3. This Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation, I have set forth only those facts I believe are necessary to establish probable cause that evidence of violation of 18 U.S.C. § 2252A(a)(2)(B), receipt of child pornography, that occurred between the dates of April 24, 2020 and April 25, 2020; and evidence of violation of 18 U.S.C. § 2252A(a)(5)(B) and 2252A(b)(2), possession of child pornography, occurred on or about June 24, 2020, and were committed by Andrew Joel GALVAN. Throughout this Affidavit, statements made by sources of information and other witnesses are set forth in substance and in pertinent part unless otherwise indicated. Further, the facts and circumstances of this

investigation have been set forth in pertinent part for the purpose of this Affidavit and do not include the complete factual history of this investigation, or all of its details.

Factual Basis to Support Criminal Complaint

4. On or about April 24, 2020, a mother in Levittown, New York notified Nassau County Police Officers that her 8-year old daughter (hereinafter “Juvenile Victim 1” and “JV1”) was involved in sexually explicit chats with an unknown male subject on Instagram. JV1’s mother discovered Instagram text message communications on JV1’s cellular telephone between JV1 and an unknown male subject using Instagram account “chris.perez987,” who claimed to be 13-years old. JV1’s mother also discovered that some of the texts included sexually explicit chats and photo activity between JV1’s and chris.perez987’s (hereinafter “chris.perez”) Instagram accounts.
5. On or about April 27, 2020, Nassau County Police Detectives seized JV1’s cellular telephone with the consent of JV1’s mother and confirmed that sexually explicit chats between JV1 and chris.perez via their Instagram accounts occurred on or about April 24, 2020.
6. On or about April 28, 2020, Nassau County Police Detectives conducted a forensic examination of JV1’s cellular telephone. Law enforcement officers recovered several private Instagram chats that contained sexually explicit language and photo activity between JV1 and chris.perez.
7. On or about April 29, 2020, HSI Special Agents assigned to the Child Exploitation Group (CEG), along with Nassau County Police Detectives with the Special Victims Unit, reviewed the sexually explicit photos/videos that were exchanged through their Instagram accounts. As recovered from JV1’s cellular telephone, the following direct message exchange between the JV1 and chris.perez Instagram accounts occurred beginning on or about April 24, 2020 (“insta” is the common abbreviation for Instagram):

chris.perez: Heyy
JV1: Hi
How old are you

chris.perez: 13 and you
JV1: I'm 8

chris.perez: Oh okay you are so pretty
JV1: Do you have tiktok
Thx

chris.perez: I used but not anymore do you
JV1: You should have a girlfriend
Your handsome

chris.perez: Thank you!! Send more selfies
JV1: [JV1 sends video]

chris.perez: Well take them off duh (emoji) so cute (emoji)
JV1: [JV1 sends photo]
Well I looked weird with the nightgown
chris.perez: So cute! Take your shorts off cutie

Later that same day:

chris.perez: Did you like my private spot
JV1: Do you like mine
chris.perez: Yes yours was BEAUTIFUL (heart) wanna see more of mine
JV1: ok

chris.perez: Like it?
JV1: Do you want to call and want me to show you
How do you want me to show you
You there?

chris.perez: Just send videos (heart)
JV1: How do I do that

chris.perez: Try your best (laughing emoji)
JV1: I can't send it on insta

chris.perez: okay can we face time so you can show me while I show my private spot
JV1: Idk how to Facetime on insta
You call me
[A video call was started and ended]

chris.perez: [A video call was started and ended]
U said I can show u my spot
JV1: ok just for a few minutes

chris.perez: I'll have it out the whole time you do your make up
JV1: Please

chris.perez: So beautiful (emoji)
JV1: I did it already
Why do you want to call so bad

chris.perez: Because I like when you watch
JV1: Watch what

chris.perez: my private spot
JV1: Did you show anyone else yours

chris.perez: No just you
JV1: How bout mine

chris.perez: No cus I promised
JV1: Good

chris.perez: Your so flexible (smiling face emoji)
JV1: Yeah I can go in a backbend and role imbetween my feet wanna see

chris.perez: yes
JV1: And I already did my makeup

chris.perez: Remember
It's not hard (heart emoji)
JV1: [sends photo/video]
I'm trying
But I'm just so stupid

chris.perez: Your're not stupid don't say that (heart emoji) okay let's try something else
ok?? Keep your camera on the bed like that but lay on your back and spread
your legs in the air
JV1: Ok
Good

chris.perez: Just like that ok now stay like that but bend our knees so your feet are in the
picture
too (double heart emoji)
JV1: Why do you want to see my tweet
Feet

chris.perez: Too see if theyre cute just do it (heart emoji)
JV1: [Sends image of her lying on the floor naked spreading her legs with her vagina
exposed] ("IMAGE A")
Done

chris.perez: Almost got it now left your legs so your feet are in the air
JV1: How do I do that
Do I have to do anymore

chris.perez: Yes you have to do more just bring your legs closer to your chest
JV1: [Sends image of her lying on the floor naked with her feet in the air spreading her legs with her vagina exposed] ("IMAGE B")

chris.perez: YES LIKE THAT (double heart emoji) send more pics and video just like that (emojis)
But face more towards the camera
JV1: How
Do I have to do anymore

chris.perez: Yes you have to do more (heart emoji) just do more pics and video like that and
JV1: WHY

chris.perez: Because I said (heart emoji)
JV1: Pls I showed you once can I be done

chris.perez: No do more (heart emoji)
JV1: ok one more

chris.perez: 5 more I promise Do 3 pictures and 2 pics doing it like you did it (heart emoji)
JV1: But you promised when I did it I can stop

chris.perez: Listen to me
JV1: why

chris.perez: Because if you do what I say then I will NEVER show anyone I promise
Just listen to me
JV1: But I did it already

chris.perez: In the air
JV1: Now done

chris.perez: Just like that but spread your peepee all the way you can
JV1: That's as far as it goes

chris.perez: You have put your fingers more down and closer to spread it more open
JV1: [voice media created]

chris.perez: Do it like that and your done
Promise
JV1: [voice media created]

chris.perez: ok
(heart emoji)

JV1: [voice media created]

chris.perez: Nope your sweatshirt was blocking
Do it right

JV1: [voice media created]

chris.perez: Last one I promise
Listen to me

JV1: [voice media created]

chris.perez: PROMISE JUST DO IT RIGHT

JV1: Fine

chris.perez: Ok you're done!!! See that wasn't so bad [JV1]! You're so beautiful and perfect I hope you know that (double heart emoji) What are you doing?

8. A review of the Instagram photos and videos exchanged between JV1's account and the chris.perez account, obtained via the forensic examination of JV1's cellular telephone, included, among other things: (a) an image (noted above as IMAGE A) depicting the 8 year old JV1 lying on the floor naked with her legs spread open and her genitalia exposed; and (b) an image (noted above as IMAGE B) depicting the 8 year old JV1 lying on the floor naked with her feet up in the air and her legs spread open with her genitalia exposed.
9. On or about May 7, 2020, the Honorable Anne Y. Shields, United States Magistrate Judge for the Eastern District of New York, signed a search warrant (No. 20-MJ-356) authorizing the search of the chris.perez987 Instagram account. Special agents observed that the account was created on or about March 3, 2020 and was therefore approximately two months old. The evidence obtained from Instagram related to that account revealed several additional minor victims, as well as images and videos of those minors that were indicative of the production of child pornography.
10. On or about April 27, 2020, customer information obtained from Instagram via a subpoena indicated that the chris.perez987 account was associated with the phone number (281) 896-

7089 and the IP Addresses 73.32.120.19 and 2601:2c0:4480:bcbf:b7f5665:ladf (the “chris.perez IP addresses”).

11. On or about April 29, 2020, customer information obtained from Sprint via subpoena indicated that the (281) 896-7089 phone number had a listed account billing address of Galvan Equipment Coating, 3904 Dunlavy Drive, Pearland, TX 77581. The same (281) 896-7089 phone number was also used on a Facebook account belonging to “Andrew Galvan.”
12. On or about April 30, 2020, customer information obtained from Comcast via subpoena indicated that the chris.perez IP addresses were also linked to the same 3904 Dunlavy Drive address in Pearland, Texas
13. On or about June 22, 2020, the Honorable Andrew M. Edison, United States Magistrate Judge for the Southern District of Texas, issued a search warrant for the residence located at 3904 Dunlavy Drive in Pearland Texas.
14. On June 24, 2020, at approximately 6:25 am CST, HSI agents executed the search warrant at the residence at 3904 Dunlavy Drive in Pearland Texas. The defendant ANDREW JOEL GALVAN was the sole person present at the residence. Although he was not under arrest, nor in custody, he was advised of his rights per *Miranda*, which he stated that he understood, and agreed to speak with investigators. In sum and substance, GALVAN stated that he was exposed at age 12-13 to images of children his own age on a site called “4chan” by a friend, and it was those fetish-types of images that have stuck with him ever since. GALVAN explained that he’s tried so hard to move on from it. When asked about the “Chris Perez” Instagram account, GALVAN stated that he deleted everything and that he had acquired the Chris Perez photos from the internet. He described creating/using it from approximately late December (2019). When asked about how he met the minor victims, GALVAN explained that they would just message him via the Chris Perez persona, follow the account, talk and then send pictures. When asked about minors between 8 and 13 years old wanting to, or knowing

it was okay to, send naked pictures, GALVAN said, “that’s just how it happens. It’s a sad reality, that’s how easy it happens.” GALVAN admitted that he had supplemented the Chris Perez facial photos with photos of his own penis and used his Apple iPhone for the Instagram activity. When asked why he wasn’t honest at the beginning of the interview, GALVAN explained that it was from both fear and shame, and “it was more of my family finding out how much of a fucking disgusting monster that I am, or was.” GALVAN added that when you’re in the zone, nothing feels wrong; after you exit out of the zone, you see yourself how much of a monster and how disgusting the things you were looking at were; and it sucks that it’s after the fact that that stuff happened. GALVAN denied mistreating any of the minors online and denied threatening to expose any of them if they didn’t complete their task or assignment to produce more nude images in the poses or positions that he insisted they complete. GALVAN admitted that any nude images of children found on his computer, loose hard drive and thumb drive were older ones that he collected from the internet, but did not include any of the more recent files of the minors from his Instagram activity.

15. During the execution of the search warrant, a forensic preview of GALVAN’s computer revealed two link files (recently viewed files) with titles that are consistent with child pornography. These titles were:

(Children-sf-1man)Pthc – Linda (07yo) – Episode n. 09 – [RU][00.02.17].lnk

(PTHC) Sugar n Candy – HD 1920 X 1080 – Stripping Ass Parade and rimming – Part 1 of 3.lnk

A preliminary forensic preview of a loose Seagate hard drive also showed link files with titles consistent with child pornography. A forensic preview of a white Samsung thumb drive revealed numerous images and videos depicting child pornography.

16. Several of the images on the Samsung thumb drive met the federal definition of child pornography and three are described below, in part:

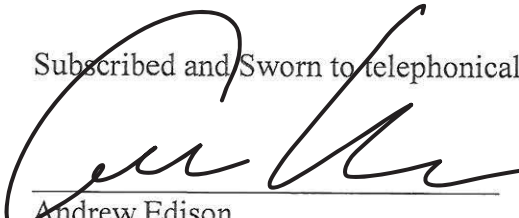
- a. Blue.Dress.Cutie.Fucking.Like.a.Pornstar.HD.Remaster was a color video in a bedroom setting that depicted an approximately 4-5 year old Caucasian female wearing a blue dress standing on a bed while a nude Caucasian male pulled down the minor's panties and positioned her on her hands and knees and inserted his erect penis into her anus for the camera's view. The adult then repositioned the minor in different poses and inserted his penis into her anus each time.
- b. Jonas Gets Fucked Deep By Daddy was a color video in a bedroom setting that depicted a nude Caucasian approximately 4-6 year old male having his anus penetrated with a white cylindrical object by an adult Caucasian male. The adult then inserted his erect penis into the minor's anus for the camera's view.
- c. toddler girl – MOV0010 man licks pussy & fingers ass 3yo was a video filmed via night-vision that depicted an adult male licking the vagina of an approximately 2-3 year old minor positioned on the edge of a seat or cushion. The adult then inserted his finger into the minor's anus and continued performing oral sex on her.

Conclusion

17. Based on the information set forth above, your Affiant believes there is probable cause to believe that between the dates of April 24, 2020 and April 25, 2020, Andrew Joel GALVAN was in violation of Title 18 U.S.C. § 2252A(a)(2)(B) by receiving child pornography. Furthermore, your Affiant believes there is probable cause to believe on or about June 24, 2020, Andrew GALVAN was in violation of 18 USC 2252A(a)(5)(B), Possession of Child Pornography.


DeWayne Lewis
Special Agent
Homeland Security Investigations

Subscribed and Sworn to telephonically on June 25, 2020 and I find probable cause.


Andrew Edison
United States Magistrate Judge
Southern District of Texas